



Federal Communications Commission
Washington, D.C. 20554

DA 07-3329
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1800E3-JLB

Christian Television Network, Inc.
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1080 West Causeway Approach
Mandeville, Louisiana 70471

Re: WGNM(TV), Macon, Georgia
Facility ID No. 24618

Dear Licensee:

Christian Television Network, Inc. (CTN), the licensee of analog television station WGNM(TV), NTSC Channel 64 and digital television station WGNM-DT, DTV Channel 45, Macon, Georgia, has filed a request for Commission authority to: (i) cease analog broadcasting on NTSC Channel 64 and surrender its license for the channel prior to the end of the DTV transition period; and (ii) thereafter operate WGNM-DT as a single channel, digital-only television station on DTV Channel 45. CTN's proposal appeared on public notice on March 23, 2006.

CTN's request was submitted pursuant to the voluntary band-clearing mechanisms adopted by the Commission to facilitate the clearing of channels 59-69. In the *Upper 700 MHz MO&O and FNRPM*,¹ the Commission established a rebuttable presumption that, in certain circumstances, substantial public interest benefits will arise from a voluntary agreement between a 700 MHz licensee and an incumbent broadcast licensee on Channels 59-69 that clears the 700 MHz band of incumbent television licensee(s). In particular, this favorable presumption attaches to any requests that: (1) would make new or expanded wireless service, such as '2.5' or '3G' services, available to consumers; (2) would clear commercial frequencies that enable provision of public safety services; or (3) would result in the provision of wireless service to rural or other underserved communities. The applicant would also need to show that grant of the request would not result in any one of the following: (1) the loss of any of the four stations in the designated market area (DMA) with the largest audience share; (2) the loss of the sole service licensed to the local community; or (3) the loss of a community's sole service on a channel reserved for noncommercial educational broadcast service.² The Commission further indicated that when this presumption is not established, or is rebutted, it would review regulatory requests by weighing the loss of broadcast service and the advent of new wireless service on a case-by-case basis.³

In support of its request to voluntarily vacate NTSC Channel 64, CTN asserts that early return will serve the public interest because it would clear commercial spectrum that would enable public safety usage, and further enhance interference-free public safety utilization of Channels 63 and 64. In addition, WGNM is not the sole television station licensed to Macon, and is not one of the top four stations in the Macon DMA.

¹ *Upper 700 MHz MO&O and FNRPM*, 15 FCC Rcd 20845 (2000).

² *Id.* at 20870-71.

³ *Id.*

CTN acknowledges that the early return of its NTSC channel will result in loss of an over-the-air analog service, but contends that the impact on the public will be imperceptible. First, according to CTN, the Macon DMA has a total cable and/or alternative delivery system penetration rate of 91.4% and its DTV signal coverage area is larger its analog signal coverage. CTN represents that it will demand that the cable operators initially carry WGNM-DT's over-the air digital signal in an analog format, and provide the cable operators with the conversion equipment necessary to translate the station's over-the-air signal from digital to analog. CTN further states that almost all of viewers residing within WGNM(TV)'s Grade B contour will continue to receive five or more off-the-air television signals; while 3638 persons will receive only four analog off-the-air television signals after WGNM(TV) ceases analog operation, they will continue to receive all four major networks.

Based upon the foregoing, we believe that CTN has met all of the factors necessary to come within the rebuttable presumption, and that the public interest would be served by permitting CTN to surrender its license for NTSC Channel 64 and operate as a single channel, digital-only television station on DTV Channel 45. Accordingly, CTN's band-clearing request IS GRANTED.

Sincerely,

Barbara A. Kreisman
Chief, Video Division
Media Bureau